

PATENT COOPERATION TREATY

PCT/US2004/029615

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
 TRANSMITTAL OF COPY OF INTERNATIONAL
 PRELIMINARY REPORT ON PATENTABILITY
 (CHAPTER I OF THE PATENT COOPERATION
 TREATY)
 (PCT Rule 44bis.1(c))

To:

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 Kilpatrick Stockton LLP
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 ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 23 March 2006 (23.03.2006)
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Applicant's or agent's file reference GP-133-00PCT

IMPORTANT NOTICE

International application No. PCT/US2004/029615	International filing date (day/month/year) 10 September 2004 (10.09.2004)	Priority date (day/month/year) 12 September 2003 (12.09.2003)
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Applicant GOOGLE INC. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes

Authorized officer

Athina Nickitas-Etienne

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference GP-133-00PCT	FOR FURTHER ACTION See item 4 below	
International application No. PCT/US2004/029615	International filing date (day/month/year) 10 September 2004 (10.09.2004)	Priority date (day/month/year) 12 September 2003 (12.09.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant GOOGLE INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input checked="" type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.3).

Date of issuance of this report
13 March 2006 (13.03.2006)

Authorized officer

Athina Nickitas-Etienne

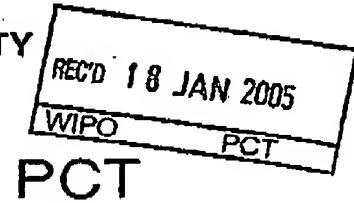
The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2004/029615

International filing date (day/month/year)
10.09.2004

Priority date (day/month/year)
12.09.2003

International Patent Classification (IPC) or both national classification and IPC
G06F17/30

Applicant
GOOGLE INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and Industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas

Authorized Officer

Boyadzhiev, V.



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/US2004/029615**Box No. I Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/US2004/029615**Box No. II Priority**

1. The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. It has not been possible to consider the validity of the priority claim because a copy of the priority document was not available to the ISA at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

4. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Yes: Claims	
	No: Claims	1-7,10,17,22-24,27-33,36,43,48-50

Inventive step (IS)	Yes: Claims	
	No: Claims	8,9,11-16,18-21,25,26,34,35,37-42,44-47,51,52

Industrial applicability (IA)	Yes: Claims	1-52
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2004/029615**Re Item V.**

1. The following documents are referred to in this communication:

- ✓ D1 : US 6 539 377 B1 (CULLISS GARY A) 25 March 2003 (2003-03-25)
- D2 : US 2003/120654 A1 (TENG SHANGHUA ET AL) 26 June 2003 (2003-06-26)
- D3 : US 2002/049752 A1 (BOWMAN DWAYNE ET AL) 25 April 2002 (2002-04-25)

Objections under Article 33(2) PCT

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-7,10,17,22-24 is not new in the sense of Article 33(2) PCT.

INDEPENDENT CLAIM 1

2.1 Document D1 discloses :

A method comprising (column 1 lines 25-28, "The present ... searchers."):
(a) receiving a search query (column 2 lines 40 and 41, "As described ... a user ...");
(b) determining a first related query to the search query (column 9 lines 48 and 49, "In addition ... queries...");
(c) determining a first article associated with the search query (column 1 lines 44-46, "Accordingly ... information" and column 2 lines 40-43, "As ... scores.");
(d) determining a first ranking score for the first article based at least in part on data associated with the first related query (column 10 lines 44-50, "Personalized ... scores." and column 11 lines 9-13, "It is ... queries.")

Since D1 discloses a method comprising all the steps of claim 1 in combination, therefore the subject-matter of claim 1 lacks novelty.

DEPENDENT CLAIMS

2.2 The subject-matter of claims 2-5 is not new because D1 discloses that the data associated with the related query comprises a total selection or instance scores (column 7 lines 24-39, "The previous ... characteristics.").

2.3 The subject-matter of claims 6,7,10,17 is not new because D1 discloses that articles have selection scores and scores based on the number times they were displayed to a user (column 2 lines 44-47, "Articles ... the article , etc.").

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2004/029615

2.4 The subject-matter of claims 22-24 is not new because D1 discloses that the ranking process is performed for plurality of articles displayed in the search results (column 10 lines 59-61, "Displaying ... score.").

Objections under Article 33(3) PCT

3. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 8,9,11-16,18-21,25,26 does not involve an inventive step in the sense of Article 33(3) PCT.

3.1 The additional technical features of dependent claims 8,9,11-16,18-21,25,26 represent only implementation details and do not contain any features which in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect to inventive step.

4. The subject-matter of claims 27-52 corresponds in terms of a computer readable medium comprising a computer program product features to the that of claims 1-26. The objections raised in respect to claims 1-26, therefore, also apply, mutatis mutandis, to the corresponding claims 27-52.

5. The attention of the applicant is drawn to the fact that documents D2 and D3 cited in the international search report are regarded as very relevant state of the art in the sens of Article 33(2) and/or Article 33(3) PCT (D2 for claims 1,6,10-27,32,37-52 and D3 for claims 1,6,10,15,27,32,37).